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July 15, 1994

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

BY HAND

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: Permissible Ex Parte Presentations in  
Gen. Docket No. (92-235) and ET Docket 92-9

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Commission's rules, this is to inform the Commission that representatives of the Association of Public-Safety Communications Officials-International, Inc. ("APCO") met with the following individuals on July 14, 1994, to discuss issues of concern to public safety communications, including APCO's position in the above-referenced proceedings:

Commissioner Rachelle Chong and her staff  
Commissioner Susan Ness and her staff  
James Coltharp (Commissioner Barrett's staff)  
Rudolfo Baca (Commissioner Quello's staff)

We presented each individual with a copy of the attached materials that reiterate APCO's previously stated positions on a variety of issues. Two copies of those materials are attached.

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Please contact the undersigned if you have any questions.

Respectfully submitted,

WILKES, ARTIS, HEDRICK & LANE  
Chartered

By:   
Robert M. Gurss

Attorneys for APCO

Enclosure

cc: Commissioner Susan Ness  
Commissioner Rachelle Chong  
Rudolfo Baca, Esquire  
James Coltharp, Esquire  
Ronnie Rand  
Steven Procter

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## APCO'S POSITION ON SPECTRUM REFARMING (PR DOCKET 92-235)

The goal of the spectrum refarming is to encourage more efficient use of private land mobile radio frequencies in the 150-170 MHz and 450-512 MHz bands. Historically, these have been the core frequencies for two-way voice and data communications systems operated by police, fire, emergency medical, forestry-conservation, and highway maintenance agencies. Key issues in the refarming proceeding include the degree to which current 25 kHz and 30 kHz channels must be split to narrower bandwidths, and how soon users will be required to purchase new radio equipment.

APCO supports refarming and believes that it could help to reduce serious spectrum shortages facing many public safety agencies. However, vital public safety services should not be forced into smaller and smaller (and therefore, less useful) channels while huge blocks of spectrum are being allocated for commercial services such as PCS. Additional spectrum must be allocated for public safety land mobile operations.

APCO believes that any refarming plan must have the following attributes.

- The plan must be based on a realistic evaluation of technology and not pie-in-the-sky predictions that, if wrong, could leave public safety users with inadequate communications capability.
- The plan must allow public safety agencies to phase new equipment into their communications systems, retaining forward and backward equipment compatibility.
- There must be reasonably priced equipment available to facilitate a smooth migration to smaller bandwidths.
- The plan must be consistent with the Federal Government channel plans to facilitate spectrum sharing and interoperability between Federal and local public safety agencies.

APCO believes that these goals can be best served by converting to 12.5 kHz channels in both the 150-170 MHz and 450-512 MHz bands, but with a channel plan to facilitate a further channel split if and when appropriate radio equipment is developed and proven to be capable of meeting public safety communications needs.

**ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS  
OFFICIALS-INTERNATIONAL, INC. (APCO)**

**I. WHAT IS APCO?**

- A. Membership organization of over 11,000 individuals involved in management and operation of State and local government communications systems for police, fire, emergency medical, forestry conservation, highway maintenance and other public safety operations.
- B. FCC certified frequency coordinator for 82% of public safety land mobile radio frequencies.
- C. Organizer of Project 25, which is establishing interoperability standards for digital public safety land mobile radio equipment, and Project 31 which is addressing issues related to wireless telephone services and Enhanced 9-1-1 emergency communications systems.
- D. Principal "voice" of public safety communications on key policy matters.

**II. PUBLIC SAFETY USE OF RADIO COMMUNICATIONS**

- A. Mobile/Portable voice and data communications have become indispensable tools for police and other public safety personnel.
- B. New communications technologies will add new radio services and provide vital tools for the fight against crime and other activities that protect the safety of life and property. Examples include the ability to transmit mugshots, fingerprints, building diagrams, medical images, and video to and from the field.
- C. Public safety agencies must have their own private radio communications systems. Commercial systems do not provide adequate reliability, interference protection, coverage, security, or priority access in times of emergency.
- D. Congress has often stated that communications that protect the safety of life and property must be given "top priority" by the FCC.

**III. POLICY ISSUES FOR PUBLIC SAFETY COMMUNICATIONS**

- A. Shortage of Radio Spectrum for Current and Future Needs
  - 1. Serious spectrum shortages exist now in many areas, especially in and near major cities such as New York and Los Angeles. Nationwide public safety spectrum use far exceeds prior Commission projections.

2. The FCC must devote adequate resources to the congressionally mandated study of current and future public safety spectrum needs through the year 2010, and "a specific plan to ensure that adequate frequencies are made available to public safety licensees."
3. Spectrum Refarming of frequencies below 512 MHz (PR Docket 92-235) will provide only limited relief. Refarming must proceed in orderly fashion without diminishing communications capabilities or imposing undue hardship on already financially strapped state and local governments.
4. APCO and others have sought spectrum allocation for private licensing of new technologies (Coalition of Private Users of Emerging Multimedia Technologies Petition for Rulemaking).
5. FCC should grant pending request to reallocate a UHF television channel for public safety land mobile communications in the New York area.

B. 9-1-1 and Wireless Communications

1. Most 9-1-1 systems automatically identify the address and phone number of callers from wired telephones. Such information is critical for rapid and accurate dispatch of emergency personnel, especially when callers are unable to identify their location. Wireless services lack this vital 9-1-1 capability.
2. Technical solutions exist, though some are more economically feasible than others. APCO is working with cellular and PCS industry to find the right approach and to adopt appropriate equipment standards. However, FCC must impose basic performance requirements.

C. Relocation of Public Safety Licensees from 2 GHz Band

1. APCO has sought reconsideration of the Commission's recent decision to require microwave facilities licensed to state and local government public safety agencies to vacate the 2 GHz band (ET Docket 92-9).
2. APCO believes that this reversal of a prior Commission position is contrary to Congressional intent, is not adequately supported by the record, and will cause unnecessary disruption to public safety communications operations.